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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

Application Number

10/759,189

Filing Date

01/20/2004

First Named Inventor

Kristoffer Hess

Art Unit

3611

Examiner Name

Gary Chapman Hoge

Attorney Docket Number

K8000201US1

ENCLOSURES (Check all that apply)☐ Fee Transmittal Form☐ Fee Attached☒ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Reply to Missing Parts under
37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication
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(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Other Enclosure(s) (please
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Gowling Lafleur Henderson LLP

Signature

V. Cottrill

Printed name

Valentine A. Cottrill

Date

March 3, 2006

Reg. No.

50,187

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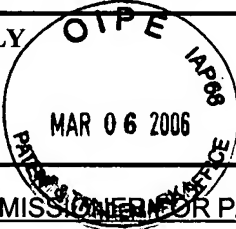
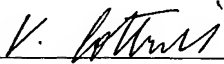
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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|--|-------------------------------------|--------------------------------------|--|----------------------------------|---------------------------------|
| AMENDMENT TRANSMITTAL LETTER (Large Entity) | | | | Docket No. K8000201US1 | |
| Applicant(s): Hess et al. | | | | | |
| Application No. 10/759,189 | Filing Date 01/20/2004 | Examiner Gary Chapman Hoge | Customer No. 34236 | Group Art Unit 3611 | Confirmation No. 7281 |
| Invention: FLAME SIMULATING ASSEMBLY | | | | | |
|  | | | | | |
| COMMISSIONER FOR PATENTS: | | | | | |
| Transmitted herewith is an amendment in the above-identified application. | | | | | |
| The fee has been calculated and is transmitted as shown below. | | | | | |
| CLAIMS AS AMENDED | | | | | |
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST # PREV. PAID FOR | NUMBER EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
| TOTAL CLAIMS | 30 - | 60 = | 0 | x \$50.00 | \$0.00 |
| INDEP. CLAIMS | 5 - | 5 = | 0 | x \$200.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$0.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | \$0.00 |
| <input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 501613 in the amount of \$0.00 <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 501613 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. | | | | | |
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|  _____ Signature | | | Dated: March 3, 2006 | | |
| Valentine A. Cottrill Registration No. 50,187 Gowling Lafleur Henderson LLP 50 Queen Street North, Ste. 1020 Kitchener, ON N2H 6M2 Canada | | | <div style="border: 1px solid black; padding: 5px;"> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> _____ Signature of Person Mailing Correspondence </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> _____ Typed or Printed Name of Person Mailing Correspondence </div> | | |
| CC: | | | | | |



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
RESPONSE

Application No.: 10/759,189
Title: Flame Simulating Assembly
Inventors: Kristoffer Hess, Kelly Stinson and Richard Adamczyk
Applicant: Dimplex North America Limited
Filed: January 20, 2004
Examiner: Gary Chapman Hoge
Group Art Unit: 3611
Our File No.: K8000201US1
Customer No.: 34236

Commissioner of Patents
U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Mail Stop Amendment
ALEXANDRIA, VA 22314
U.S.A.

Dear Commissioner:

In response to the office action mailed on February 17, 2006, to which a reply is due on or before March 19, 2006, please amend the above-identified application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 18 of this paper.